

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

Date: 16 August 2004

Name: Elizabeth M. Swift

Signature:

Elizabeth M. Swift



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Design Application of:
Daniel Py

Serial No.: 10/766,172

Filing Date: January 28, 2004

For: **MEDICAMENT VIAL HAVING A HEAT-
SEALABLE CAP, AND APPARATUS AND
METHOD FOR FILLING THE VIAL**

)
)
)
) Confirmation No. 4425

)
) Docket No. INSC-109.4

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to the Notice to File Missing Parts dated June 16, 2004, Applicant submits herewith the following papers:

1. a Declaration and Power of Attorney executed by the inventor;
2. 56 sheets of formal drawings to replace the 56 sheets of informal drawings currently on file;
3. a copy of the Notice to File Missing Parts; and
4. a return receipt post card.

Authorization is hereby given to charge the \$130.00 fee associated with

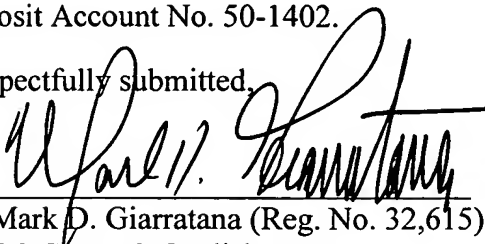
submission of Missing Parts, to deposit account no. 50-1402. If any additional fee is required, please accept this as authorization to charge Deposit Account No. 50-1402.

Date:

16 August 2004

Respectfully submitted,

By



Mark D. Giarratana (Reg. No. 32,615)

McCarter & English, LLP

CityPlace I

185 Asylum Street

Hartford, CT 06103

Phone: (860) 275-6719

Fax: (860) 724-3397

HARTFORD: 619739.01



RECEIVED

JUN 21 2004

McCarter & English

Page 1 of 2

JFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/766,172	01/28/2004	Daniel Py	INSC-109.4

McCarter & English, LLP
CityPlace I
185 Asylum Street
Hartford, CT 06103-3495

CONFIRMATION NO. 4425

FORMALITIES LETTER

OC000000012964287

OC000000012964287

Date Mailed: 06/16/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/18/2004 HDEMESS1 00000083 501402 10766172

FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 23-26a,b,29,37c,d,39a.
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 18,19,28b-i 30e,31c,33a-b,32,34,35.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

EW

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE